

THIRTY-FOURTH DAY—Continued.

Senate Chamber,
Austin, Texas,
March 6, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

S. J. R. No. 3.

The question recurred on the adoption of the substitute for S. J. R. No. 3 and pending amendment.

Senator Woodruff sent up a proposed amendment to S. J. R. No. 3. The amendment was read.

Point of Order.

Senator DeBerry raised the point of order that it was not an amendment but was a complete substitute for the amendment offered by Senator Hill.

The Chair sustained the point of order—ruling that the amendment was out of order, as it was a substitute instead of an amendment and there could not be two substitutes before the Senate.

Senate Bill No. 90.**Conference Committee Report.**

Senator Hornsby received unanimous consent to send up the conference committee report on S. B. No. 90, and moved the adoption of the report.

The conference report was adopted by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Van Zandt.
Hughston.	Westerfeld.
Moore.	Woodruff.

Nays—1.

Sulak.

Absent—Excused.

Fellbaum.

Martin.

Committee Room,
Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred S. B. No. 90, have had the same under consideration, and we recommend to the House of Representatives and to the Senate that said bill pass in the form attached hereto.

Respectfully submitted,

HORNSBY,
DeBERRY,
POAGE,
VAN ZANDT,
RAWLINGS,

On the part of the Senate.

TENNYSON,
HANKAMER,
LANNING,
JAMES,
POPE,

On the part of the House.

S. B. No. 90.

A BILL**To Be Entitled**

An Act providing for the issuance of Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of Texas Relief Bonds, Fourth Series, under Section 51-a of Article 3 of the Constitution of the State of Texas; providing the terms of the bonds, and the method of sale thereof by the Texas Bond Commission; exempting said bonds from taxation; making them eligible for deposit for public funds; providing for their execution, approval and regulation, providing for the disposition of the proceeds of the sale of said bonds; prohibiting borrowing in anticipation of future issuance of bonds and defining such act as high crime and misdemeanor; providing a method of retirement of said bonds and the interest thereon and making appropriation therefor; providing for the destruction of issued and unsold bonds and of redeemed bonds, and the transfer of any unused moneys derived from the

sale of said bonds to the Texas Relief Bond Sinking Fund, Fourth Series; appropriating the proceeds of the sale of said bonds to the State Board of Control; confirming and extending the powers, rights and duties of the Relief Commission of the Board of Control as defined by Chapter 34, Acts of the Third Called Session of the Forty-third Legislature, except as herein expressly repealed; providing for additional salaries for the members of the State Board of Control; prescribing powers and duties of the Board of Control; providing that no bonds shall be sold after August 26, 1935; providing the manner and method and purposes and amounts for which the proceeds of sale of said bonds, and of any unexpended balance of relief bonds heretofore sold shall be expended; making appropriation for the printing, advertisement and sale of said bonds; providing that no commission shall be paid on the sale thereof; authorizing filing of suit in case of default in payment; defining the powers and duties of the Relief Commission and County Boards relative to relief work and the expenditure of funds therefor; prohibiting employees and relief subjects under this Act from engaging in political campaigns; providing for appointment of local grievance committees; authorizing the Board of Control to administer Federal Relief Funds when requested to do so; providing method of disbursing relief bond funds; prohibiting the misappropriation of relief funds, the making of false reports concerning such funds, or the unlawful distribution of the same, defining such acts as a felony and prescribing a penalty; prohibiting the making of a false statement in order to procure relief funds, defining such act to be a misdemeanor and prescribing a penalty; providing that if any clause, section or sentence in this Act should be held invalid such holding shall not affect the remaining portions of this Act; repealing Sections 11, 14, 18, 19, 25, 27 and 32 of Chapter 34, Acts of the Third Called Session of the Forty-Third Legislature; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In conformity with the provision of Section 51-a, Article 3, of the Constitution of the State of Texas, the Legislature of the State of Texas hereby issues Three Million, Five Hundred Thousand Dollars (\$3,500,000.00) of bonds. Said bonds shall be designated "Texas Relief Bonds, Fourth Series."

A. Such bonds are issued on the faith and credit of the State of Texas and are general obligations of the State, and the principal and interest of said bonds are payable from all monies received by the State, except revenues derived from ad valorem taxes on real property, provided that the indebtedness as evidenced by said bonds shall never become a charge against or lien upon any property, real or personal, within this State.

B. Such bonds shall be numbered consecutively, beginning with Number One, and shall be in such denominations as shall be designated by the Texas Bond Commission, aggregating Three Million Five Hundred Thousand Dollars (\$3,500,000.00).

C. They shall be dated April 1, 1935, and the principal of said bonds shall mature as follows:

\$387,750.00 on April 1, 1936
 \$400,750.00 on April 1, 1937
 \$414,750.00 on April 1, 1938
 \$428,750.00 on April 1, 1939
 \$443,750.00 on April 1, 1940
 \$458,750.00 on April 1, 1941
 \$474,750.00 on April 1, 1942

\$490,750.00 on April 1, 1943

D. They shall bear interest at a rate to be fixed by the Texas Bond Commission not to exceed four per cent (4%) per annum, payable semi-annually on April 1st and October 1st of each year, the first interest being due and payable on October 1, 1935.

E. The principal and interest shall be payable on the maturity dates thereof in lawful money of the United States of America in such funds as on the respective maturity dates shall be legal tender for debts due to the United States of America upon presentation and surrender of bonds or proper coupons at the office of the Treasurer of the State of Texas, at Austin, Texas.

F. They shall be exempt from taxation by the State of Texas or by any county, municipal or quasi-municipal corporation or by any other political subdivision in or of the State or of any county thereof.

G. Said bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas including funds of every character which can be deposited by the State of Texas, and shall be eligible to secure the deposit of any and all public funds of all counties, cities, or political subdivisions thereof and of public corporations of every character within the State of Texas; and said bonds shall be lawful and sufficient security for said deposits to the extent of one hundred per cent (100%) of the face amount of said relief bonds when accompanied by all unmatured coupons appurtenant thereto. This provision shall take precedence over all laws and parts of laws in conflict herewith, and all laws and parts of laws in conflict with this provision are hereby repealed to the extent to such conflict.

H. Said bonds shall be approved as to form and validity by the Attorney General of the State of Texas, and each of said bonds shall be signed by the Governor, attested by the Secretary of State, under the seal of the State of Texas, and registered by the State Comptroller of Public Accounts, and the lithographing of the facsimile signatures of such officers on the coupons shall be sufficient for such purpose.

1. Said bonds shall have interest coupons attached to them, and the form, printing, lithographing and/or engraving of said bonds shall be provided for by the Texas Bond Commission, in installments or otherwise, and after being printed, lithographed and/or engraved, signed, attested, and registered by the proper officials, the bonds shall be immediately deposited with the State Treasurer of Texas for registration and for safe-keeping. It shall be the duty of said officer to keep a record of said bonds so deposited with him in a special book procured and kept for that purpose. Said bonds shall be subject to registration in the name of the holder as to principal, on books kept for that purpose in the office of the Comptroller of Public Accounts, as evidenced by the endorse-

ment upon the back thereof, and after such registration the principal thereof shall be payable only to the registered owner, his legal representatives or assigns. After being registered such bonds may again be made payable to bearer by endorsement thereon, and such bonds shall continue subject to registration and to payment to bearer at the option of the holder. The coupons attached to said bonds shall be and continue payable to bearer.

Sec. 2. The Texas Relief Bonds, herein issued, shall be sold by the Texas Bond Commission, heretofore created by Chapter 37, Acts of the First Called Session of the Forty-third Legislature, in the following manner:

The State Board of Control shall make application to the Texas Bond Commission for the sale of such part of said Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of bonds, as, in its judgment, is needed to procure State money necessary for the relief of the unemployed and needy, and upon the filing of such application, said Texas Bond Commission shall sell the amount of bonds so requested by the State Board of Control. Upon further application of the State Board of Control, said Texas Bond Commission is hereby directed to sell additional bonds in the amount so applied for. Upon the sale by the Texas Bond Commission of any part of the Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of Texas Relief Bonds, as herein provided for, the said Bond Commission shall by order provide that said installment of bonds shall mature over a period of eight (8) years beginning with April 1, 1936, and shall mature approximately in the same proportions as set out in subsection "C" of Section 1 hereof. The order of the Bond Commission designating the maturities shall be entered upon the minutes of the Commission. In no event shall the total amount of the bonds sold under authority of this Act exceed a total principal amount of Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds, as provided for hereunder, shall be sold from and after the 26th day of August, 1935. It is further provided that no officer, or officers, board, commission or any person

whatever shall borrow from any government, or from any source, or permit advances of any amount whatsoever, for any of the purposes stated in Section 51-a, Article 3 of the Constitution, in anticipation of the future issuance of bonds, and any such loan or advance shall be void, and shall create no obligation against the State of Texas, and any officer of the State of Texas or any officer or member of any board or commission of the State of Texas participating in such attempted loan or advance shall be guilty of high crimes and misdemeanors.

Sec. 3. The bonds authorized to be sold by this Act shall be sold by the Texas Bond Commission at a time or place to be designated by the Bond Commission, and, after advertisement, published in three (3) newspapers of general public circulation in the State of Texas, which publication shall be made once, at least one (1) week prior to the day fixed for the sale of the Bonds, the advertisements specifying date, amount, and maturities of the Bonds, the rate of interest, and such other provisions as the said Commission may deem proper, provided that the notice of sale shall contain proper provisions offering said bonds on basis of different and various rates of interest, none of which shall exceed a rate of four per cent (4%) per annum. Said Commission may in its discretion publish a similar advertisement in one (1) newspaper of general circulation outside the State of Texas. Offers for said bonds shall be made upon sealed bids filed with the Secretary of said Bond Commission and accompanied by such earnest payment as the Bond Commission may direct; the said Bond Commission shall reserve the right to reject all bids, but in the event a bid is accepted, The State Treasurer, on order of the Texas Bond Commission, is directed to deliver said bonds to the purchasers when he shall have received, for the credit of the State of Texas, current funds of the United States in the amount of the accepted bid for said Bonds, which shall in no event be less than par and accrued interest. In the event bids are not received for the purchase of all or any part of said offer of Bonds or in the event the Bond Commission rejects all bids for any or all of said

offer of Bonds, said Commission may readvertise said bonds as above provided, or may in its discretion proceed to sell at private sale all or any part of same to the Reconstruction Finance Corporation, or to any other government agency or to any person, firm or corporation for cash and in such manner as shall be provided for by the Bond Commission, provided, however, that none of said Bonds shall be sold for a price less than the par value thereof and accrued interest thereon. No commission, directly or indirectly, shall be allowed upon the sale of said bonds or any of them.

The funds other than accrued interest and/or premiums received from the sale of said Bonds shall be credited by the State Treasurer to the "Relief Bond Fund." Any amounts received as accrued interest and/or premiums from the sale of said bonds shall be placed to the credit of a fund designated as "The Texas Relief Bond Sinking Fund, Fourth Series." Both of said funds shall be deposited in accordance with the depository laws of the State of Texas for the deposit of other State funds.

Sec. 4. Texas Relief Bonds, Fourth Series, shall be redeemed and retired in the following manner:

In obedience to Section 51-a of Article 3 of the Constitution which places upon the Legislature the duty of making such appropriations as are necessary to pay the interest and principal of such bonds as the same become due, there is hereby appropriated out of all revenues received from all sources except from taxes on real property, for each and every year that any Texas Relief Bonds, Fourth Series, are outstanding, a sum sufficient to pay the principal and interest on such bonds as the same becomes due. From and after the effective date of this Act and until all Texas Relief Bonds, Fourth Series, have been retired, the Treasurer of the State of Texas, as he receives any and all monies (from sources other than taxes on real property) for the use and benefit of, and which under the present law would go to the General Fund of the State shall first, before such monies go into the General Revenue Fund, annually set up out of such

monies special and separate fund in anticipation of and sufficient to meet all interest and maturity requirements on said bonds for the fiscal year next succeeding, which said fund shall be deposited to the credit of "Texas Relief Bonds Sinking Fund, Fourth Series." In event the revenues thus received by the Treasurer shall be insufficient to meet said anticipated maturities of principal and interest, there is hereby appropriated from revenues received from all sources other than from taxes on real property, not otherwise specifically appropriated by the Constitution, sufficient money to meet said anticipated maturities of principal and interest, and the Treasurer is hereby ordered to place said additional monies in the said Sinking Fund. Said Texas Relief Bonds Sinking Fund, Fourth Series, shall be kept by said State Treasurer as a separate fund out of which the interest on said Texas Relief Bonds, Fourth Series, shall be paid, and out of which said bonds shall be redeemed and retired as they become due, and the same is hereby appropriated for each and every year while such bonds, or any of them are outstanding, for the purpose of paying the interest and principal of said bonds as the same become due; it being the intention of the Legislature, and the Legislature hereby does set apart, preserve and appropriate an adequate fund to pay off and discharge the principal and interest of said bonds as and when the same become due and payable.

Sec. 5. If, on the 26th day of August, A. D., 1935, any of the bonds which have been authorized herein have not been sold, it shall be the duty of the State Treasurer, in the presence of the other two (2) members of the Bond Commission, to destroy by burning any unsold bonds and all interest coupons appended thereto. After said bonds shall have been destroyed by burning, as above provided, it shall be the duty of said members of said commission to make a certificate in writing to the effect that said bonds were destroyed in accordance with the provisions of this law, giving the date on which said bonds were so destroyed by the State Treasurer, and file said certificate in the office of the Secretary of State of the State of Texas. As the bonds mature and

are paid, they shall be forthwith destroyed and report thereon filed in like manner.

Sec. 6. If, at the time the State Board of Control ceases to administer the duties imposed by this Act, there shall remain with the State Treasurer any sums of money which have been derived from the sale of any of said bonds, it shall be the duty of said State Treasurer to transfer said money out of said special account to the "Texas Relief Bonds Sinking Fund, Fourth Series."

Sec. 7. Any owner or holder of any of the bonds herein issued, in the event of default in the payment of said bonds, or of any interest payment thereon, shall have and is hereby granted the right to institute a suit, or suits, against the State of Texas, in any court of competent jurisdiction in Travis County, Texas, for the purpose of enforcing payment thereof. Service of the process on the Attorney General shall be sufficient in any such suit against the State.

Sec. 8. The proceeds of the sale of any and all bonds sold under the provisions of this Act are hereby appropriated to the State Board of Control for the purpose and subject to the restrictions as set forth in this Act.

Sec. 9. Out of the fund herein appropriated there shall be paid the expense of printing, lithographing and/or engraving the bonds, and the signing of same as well as all expenses incident to the sale thereof and the purchase of the books and supplies incident to keeping the record therefor.

Sec. 10. The State Board of Control is authorized and empowered to expend from any unexpended balance all the cash proceeds of the sale of any Texas Relief Bonds heretofore sold and remaining available on effective date of this Act, the sum not to exceed \$750,000.00 for the remainder of the month of March, and \$750,000.00 for the month of April, 1935, provided that any and all sums not expended during the months of March and April may be expended by the State Board of Control during any succeeding month or months.

Sec. 11. Provided that the State Board of Control is prohibited from expending more than four hundred

thousand dollars (\$400,000.00) per month for the months of May, June, July, August, September, October and November, and seven hundred thousand dollars (\$700,000.00) for the month of December, 1935. Provided further, that any and all of such funds not expended during the month for which allocated may be expended by the State Board of Control during each succeeding month or months.

Sec. 12. (a) That all of the rights, powers and duties of the Relief Commission Division of the State Board of Control, as defined and conferred by Chapter 34, Acts of the Third Called Session of the Forty-third Legislature, are in all things hereby confirmed and extended; it not being the intention of the Legislature, by this Act, to effect or repeal those sections of said Chapter 34, not herein expressly changed or repealed.

(b) The State Board of Control shall be expressly charged with the administration and expenditure of the funds derived from the sale of bonds herein issued and of the relief problems arising thereunder. They shall dispose of all property and equipment heretofore and hereafter purchased for use in distributing relief funds, which funds shall be used for the relief of unemployables; provided, however, said funds may in the discretion of the Board of Control be used also for the relief of the employables; provided, the Board of Control shall require the employment of competent persons who are on relief for the administration of said relief in preference to persons who are not on relief in order that these funds may be used most economically.

(c) The State Board of Control and the agencies herein provided for may also direct the expenditure of said funds if such agencies are required by the Federal Government, without expense or obligation, however, on the part of the State of Texas. Only those who are bona fide resident citizens of the State of Texas shall be employed to perform any of the functions hereby authorized. Said Board of Control shall adopt strict rules and regulations to be faithfully observed by case workers to the end that those who can obtain work or provide at least a part of their keep shall do so under

penalty of permanent removal from any and all classes of relief; and a list of the names of all persons receiving relief hereunder shall be open for inspection as other public records.

(d) The Board of Control shall use not less than one hundred thousand dollars (\$100,000.00) of the three (3) per cent authorized in Section 26 of Chapter 34, Acts of the Third Called Session of the Forty-third Legislature, for the purpose of building and equipping a permanent building or buildings at the State Sanatorium at Sanatorium, Texas. The Board of Control may contract as now provided by General Law for the construction of said building and shall require the contractor to use all Texas labor and preference shall be given to laborers who may be eligible for relief in Texas. The building or buildings, when completed, shall be used under the direction of the Board of Control.

(e) The State Board of Control is hereby authorized to use not to exceed four per cent (4%), or so much thereof as may be necessary, of the proceeds of the Texas Relief Bonds herein authorized for the hospitalization of indigent tubercular patients who are on the relief rolls in recognized established tuberculosis sanatoria (other than in the State Tuberculosis Sanatoria) within this State; provided that the application and requirements for relief hereunder shall conform to those for admission to the State Sanatorium, save and except that the prohibition against negro patients shall not apply to this Act, and the Superintendent of the State Tuberculosis Sanatorium, subject to the approval of the State Board of Control, is authorized, empowered and directed to select and designate such sanatoria for the treatment of such patients and to enter into contracts with such sanatoria for the care of such patients; provided, further, that the amount authorized to be expended for services, including board, laundry, room, medicine and medical attention shall not exceed the sum of two dollars and fifty cents (\$2.50) per day per patient; providing further, that of the funds herein allocated there is appropriated the sum of two thousand five hundred dollars (\$2,500.00), or so

much thereof as may be necessary, to be expended under the direction of the Superintendent of the State Tuberculosis Sanatorium, for an assistant or assistants and clerical help and to pay office and traveling expenses necessary for the purposes of carrying this Act into effect; provided further, that the Board of Control may continue the hospitalization of such patients in such recognized established tuberculosis sanatoria and pay for such hospitalization out of any remaining available Texas Relief Funds until funds from the sale of the Texas Relief Bonds, Fourth Series, are available and said funds so expended shall be deducted from the four per cent (4%) herein authorized to be expended for said purpose out of the proceeds from the sale of Texas Relief Bonds, Fourth Series, so that in no event shall said sum so expended for said purpose exceed four per cent (4%) of the proceeds from the sale of Texas Relief Bonds, Fourth Series; and in the event that relief funds are not available prior to the receipt of funds from the sale of Texas Relief Bonds, Fourth Series, for such purposes then and in that event, the said Board of Control is hereby authorized to continue the hospitalization of such indigent tubercular patients in said recognized established tuberculosis sanatoria until said funds from the sale of Texas Relief Bonds, Fourth Series, are available and to pay for such hospitalization of said patients from the proceeds from the sale of said Texas Relief Bonds, Fourth Series, after said funds are available provided that in no event shall the sum so expended exceed four per cent (4%) of the proceeds from the sale of said Texas Relief Bonds, Fourth Series.

(f) The Board of Control is hereby directed to use two and one-half (2½%) per cent or so much thereof as may be necessary, of the proceeds of the Texas Relief Bonds herein authorized for the payment of hospital services, and such services shall be available to persons who are eligible for relief under the terms of this Act, in need of hospital services and who are unable to bear such expense. Provided, however, that the amount authorized to be expended for such purposes shall not exceed two dollars and fifty cents (\$2.50) per day per patient. Such

hospitalization shall be authorized only in cases where special care is essential to the preservation of life and health, and the same cannot be otherwise adequately secured.

(g) The Board of Control is hereby authorized and empowered to use any funds that it may receive from the Federal Government, or any agency thereof, and any equipment and supplies therefrom, for the purpose of processing and preserving for human use or consumption any food or clothing products for use by the citizens of this State eligible for relief granted under the laws of this State and under such rules and regulations as may be prescribed by the said Board of Control.

(h) The State Board of Control is hereby authorized to use not to exceed one per cent (1%) or so much thereof as may be necessary, of the proceeds of the Texas Relief Bonds for the purpose of distributing food and/or clothing supplied by any agency of the Federal and/or State Governments, in instances where the Federal Government will not bear the cost of such distribution.

Sec. 13. Provided that no funds derived from the sale of the bonds issued shall be disbursed to or expended for the benefit of any citizen who has not been a bona fide resident of the State of Texas for a period of two (2) years immediately preceding application for relief.

Sec. 14. The funds belonging to the "Relief Bond Fund" shall be disbursed by warrants drawn by the Comptroller of Public Accounts on said fund in the payment of allocations made and approved by the State Board of Control, which approval shall be reflected by the minutes of the Board of Control, signed by its chairman, and attested by its secretary provided for herein, and filed with the Comptroller of Public Accounts. In case of emergency the Board of Control may authorize the disbursements of funds by the Director under such rules and regulations as may be promulgated by the Board of Control and as may be evidenced by the minutes of said Board of Control; provided that such warrants shall be issued by the Comptroller of Public Accounts against vouchers signed by the Director, or by someone authorized by him in writing, and counter-

signed by the secretary, as herein provided, or by someone authorized by him in writing, in amounts not exceeding in the aggregate the amount allocated by the Board of Control, to any payee, as evidenced by its minutes as signed, attested, and filed as herein before provided.

Sec. 15. Each member of the Board of Control shall receive in addition to the salary now provided by law, the sum of one hundred dollars (\$100.00) per month beginning March 1, 1935, but only for so long a time as there may be funds available from the herein provided for funds, and relief therefrom is being administered in this State, payable in the same manner as the present compensation is paid out of the funds herein provided for, as well as the necessary traveling and other expenses of such members and employees of the Relief Commission Division of the Board of Control. The Board of Control shall pay the employees herein provided for and heretofore provided for such funds as compensation as the said Board may deem just and proper, and may hire and discharge such administrative officer and employees from time to time as they deem best for the interest of the people.

Sec. 16. Any case worker, county administrator or other employee engaged under the provisions of this Act who shall engage himself in the political interest of any candidate or who shall attempt to influence any voter on any political issue, shall be immediately discharged upon being proved guilty of such activity and shall never again be the beneficiary of the funds authorized by this Act, either as an employee or as a relief subject.

Sec. 17. If and when it has been shown that employment at the prevailing wage scale of the county has been offered a person who is physically able to work who is upon the relief rolls and that said person has refused to accept such employment at the prevailing wage scale, it shall then be the duty of the county administrator to refuse further relief to said person and in addition thereto, shall notify the State Board of Control of the name, address and circumstances of such case. Provided the Board of Control may appoint and discharge in any county where relief is administered a griev-

ance committee to be composed of three (3) reputable citizens who shall serve without compensation and whose duties shall be to hear and consider grievances and shall make reports with recommendations to the Board of Control. A copy of each such report shall immediately be filed with the chairman of the county relief board.

Sec. 18. The Board of Control is hereby directed to seek the cooperation of the Federal Relief Agency so that changes may be procured in the Federal rules and regulations applicable to the expenditure of Federal funds and funds expended and contributed to jointly by this State and the Federal Government; said changes to be procured so that the relief funds can be more economically and judiciously expended, and so that the relief program will not hamper the recovery of the farming, ranching and industrial activities of this State.

Sec. 19. Any person, or persons, charged with the duty or responsibility of administering, disbursing, auditing, or otherwise handling the funds provided for in this Act, and who shall knowingly misappropriate any such funds, or who shall knowingly and/or unlawfully distribute or expend any of same, shall be deemed guilty of a felony, and shall, upon conviction thereof, be confined in the State Penitentiary for a term of not less than one year and not more than five years.

Sec. 20. Any person or persons who shall knowingly make any false statement or misrepresentation in order to procure any sum or sums of money or other relief provided by this Act, or secure any relief or funds under any other than his true name, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00) or be confined in the county jail for a period of not exceeding three (3) months or by both such fine and jail sentence.

Sec. 21. If any section, clause or sentence in this Act should ever be held to be unconstitutional, such holding shall not affect the remaining portions hereof.

Sec. 22. Sections 11, 14, 18, 19, 25, 27 and 32 of Chapter 34, Acts

of the Third Called Session of the Forty-third Legislature, be and are hereby repealed.

Sec. 23. The fact that the relief funds provided through the passage of this Act and the issuance and sale of bonds thereunder, is of vital importance to the State of Texas and the people thereof, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House be, and the same is hereby suspended, and that this Act shall be effective immediately from and after its passage, and it is so enacted.

H. S. R. No. 77.

The Chair laid before the Senate by unanimous consent H. S. R. No. 77, requesting the Senate to return H. C. R. No. 41 to the House for further consideration.

Senator Rawlings moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that H. S. R. No. 77 be taken up and considered at this time.

H. S. R. No. 77 was unanimously adopted.

H. C. R. No. 49.

The Chair laid before the Senate by unanimous consent H. C. R. No. 49.

H. C. R. No. 49, Suspending joint rule No. XXIII until final disposition of House bills Nos. 635 and 637.

Senator Rawlings moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 49 be taken up and considered at this time.

On motion of Senator Rawlings, H. C. R. No. 49 was unanimously adopted.

House Bill No. 474.

The Chair laid before the Senate, by unanimous consent:

By Mr. Payne:

H. B. No. 474, A bill to be entitled "An Act relating to mining claims and rights, amending Article 5395 of Chapter 5, of Title 86, of the Revised Civil Statutes of Texas, 1925, relating to the time of payment of rentals on mining claims awarded under Article 5397 of Chapter 5, of

Title 86, of the Revised Civil Statutes of Texas, 1925, and providing royalties to be paid the State from minerals produced upon such claims; and amending Article 5397 of Chapter 5, of Title 86, of the Revised Civil Statutes of Texas, 1925, providing for forfeiture of rights of location or owner of mining claims by the Land Commissioner upon default of payment of any sum due within thirty (30) days after sum is due, or for making false reports or failing or refusing access to records, or knowingly failing or refusing to give correct information, or to furnish Land Office correct reports, etc., and declaring an emergency."

The bill was read.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 474 was put on its second reading by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—1.

Holbrook.

Absent—Excused.

Fellbaum.

Martin.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading by viva voce vote.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. 474 was put on.

its third reading and final passage by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—1.

Holbrook.

Absent—Excused.

Fellbaum. Martin,

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Hughston.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Nays—3.

DeBerry. Holbrook.
Hill.

Absent—Excused.

Fellbaum. Martin.

S. J. R. No. 3.

The question was the adoption of the substitute by Senator Hill for S. J. R. No. 3.

Senator DeBerry had the floor on discussion of the substitute.

Motion to Adjourn.

Senator Hill, at 12:02 o'clock p. m., moved that the Senate adjourn until 10 o'clock a. m., Thursday.

Pending.

Motion to Recess.

Senator Moore moved as a substitute that the Senate recess until 2 o'clock p. m., today.

Pending.

Senate Bill No. 399.

Senator Redditt received unanimous consent to send up the following bill:

By Senator Redditt:

S. B. No. 399, A bill to be entitled "An Act amending Section 29 of Chapter 274, page 563, of the Acts of the Forty-first Legislature, Regular Session, 1929; repealing all laws in conflict therewith; and declaring an emergency."

Read and referred to the Committee on Insurance.

Senator Poage received unanimous consent to send up the following bills:

Senate Bill No. 400.

By Senator Poage:

S. B. No. 400, A bill to be entitled "An Act providing relief for Axtell Rural High School District of McLennan County, Texas, in order to aid said district in rebuilding its properties and equipping its school which was destroyed by fire on or about the 6th day of December, A. D., 1934, providing for work relief; making an appropriation to said district for said property; and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 401.

By Senator Poage:

S. B. No. 401, A bill to be entitled "An Act to prohibit the use of certain words in the name of corporations hereafter incorporated under the laws of this State, providing that all charters of companies containing any of such words in their corporate name shall be canceled and forfeited unless an amendment

is filed in the manner provided by law or certain permission secured to use said name within ninety (90) days after this Act becomes effective, and declaring an emergency."

Read and referred to the Committee on Military Affairs.

Senator Davis received unanimous consent to send up the following bills:

Senate Bill No. 402.

By Senator Davis:

S. B. No. 402, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Brown, Callahan, Comanche or Eastland counties in the State of Texas for the purpose of making scientific investigations and experiments in the production of fruits, berries grapes, nuts, vegetables and farm crops and for the fertilization and conservation of soils in the West Texas cross timber sandy land area and for conducting scientific experiments in poultry raising, dairying and bee culture, authorizing said board of directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose, providing that such experiment station shall be under the general supervision of said board of directors and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for experiment station are made for said purposes, said experiment station shall not be established."

Read and referred to the Committee on Agriculture.

Senate Bill No. 403.

By Senator Davis:

S. B. No. 403, A bill to be entitled "An Act amending Sections 17, 19 and 20 of Chapter 274, Acts of the Regular Session, Forty-first Legislature, page 563; and declaring an emergency."

Read and referred to the Committee on Insurance.

Senator Woodruff received unanimous consent to send up the following bills:

Senate Bill No. 404.

By Senator Woodruff:

S. B. No. 404, A bill to be entitled "An Act amending Article 1019 of the Code of Criminal Procedure of the State of Texas, as amended by the Acts of the Forty-second Legislature, Chapter 205, 1931, providing for fees of officers of this State in certain felony and misdemeanor cases, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 405.

By Senator Woodruff:

S. B. No. 405, A bill to be entitled "An Act amending Article 1019a of the Code of Criminal Procedure of the State of Texas, enacted as Chapter 200, Acts of the Forty-second Legislature, 1931, providing for fees of officers in certain cases, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 406.

Senator Shivers received unanimous consent to send up the following bill:

By Senator Shivers:

S. B. No. 406, A bill to be entitled "An Act amending Article 4000, Title 65, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, by adding thereto a provision excepting farm products when offered for sale by the producer, from the operation of the Article."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 407.

Senator DeBerry received unanimous consent to send up the following bill:

By Senator DeBerry:

S. B. No. 407, A bill to be entitled "An Act providing limiting the time within which ad valorem taxes may

be collected by the State, any county, municipality, or other defined subdivision, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senator Neal received unanimous consent to send up the following bills:

Senate Bill No. 408.

By Senator Neal:

S. B. No. 408, A bill to be entitled "An Act to repeal S. B. No. 148, Chapter 307, General Laws, Regular Session of the Forty-second Legislature, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 409.

By Senator Neal:

S. B. No. 409, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 410.

By Senator Neal:

S. B. No. 410, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore, issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, school district, county, city or incorporated town of this State for public works projects, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 411.

Senator Westerfeld received unanimous consent to send up the following bill:

By Senator Westerfeld:

S. B. No. 411, A bill to be entitled "An Act to amend Article 4014, Title 66, of the Revised Civil Statutes of Texas, 1925, by adding thereto a new provision to be known as Article 4014a."

Read and referred to the Committee on State Affairs.

Senate Bill No. 412.

By Senator Westerfeld:

S. B. No. 412, A bill to be entitled "An Act authorizing and requiring the State Board of Education to prescribe and require the observance of a uniform system of accounts, records and reports of all public school officials in this State; requiring the State Board of Education to have regular biennial audits made of the receipts and expenditures of all public school funds in all common school and independent school districts of this State; authorizing said board to employ and pay out of the Available School Fund said auditors; fixing the maximum compensation of said auditors; requiring said State Board of Education to make reports to the Legislature; prescribing additional duties of the State Auditor and State Superintendent of Public Instruction; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senate Bill No. 413.

By Senator Westerfeld:

S. B. No. 413, A bill to be entitled "An Act declaring it the public policy of this State and its various political subdivisions, in the employment of office and other employees, to evenly distribute its employment between male and female, to limit the employment to not more than one to each family pending economic recovery, and to employ only those whom to some extent others are dependent upon; etc., and declaring an emergency."

Read and referred to the Committee on Labor.

Senator Pace received unanimous consent to send up the following bills:

Senate Bill No. 414.

By Senator Pace:

S. B. No. 414, A bill to be entitled

"An Act amending Chapter 10, Title 78, Revised Civil Statutes of Texas, 1925, by adding thereto a new Article to be known as Article 4878a, authorizing and making it the mandatory duty of the Board of Insurance Commissioners of Texas to require each and every insurance company, which term shall include capital stock, mutual and reciprocal companies, inter-exchanges, Lloyd's and insurance companies of any and every nature and class whether or not specifically named herein, doing business in this State, to make a report of every loss that occurs within the State wherein the property destroyed or damaged is insured by such company against fire, tornado, windstorm and/or hail, which terms include such insurances as use and occupancy, rental, leasehold, demolition, improvements and betterments and any and every other form of insurance protection whether herein specifically named or not, in such manner and upon such forms as are herein prescribed; etc., and declaring an emergency."

Read and referred to the Committee on Insurance.

Senate Bill No. 415.

By Senator Pace:

S. B. No. 415, A bill to be entitled "An Act amending Chapter 1, Title 78, Revised Civil Statutes of Texas, 1925, by adding a new Article to be known as Article 4862c, to provide that all insurance companies, whether specifically named or not, issuing or delivering any form of insurance policy in this State, other than fire, life, tornado, windstorm, hail, workmens compensation, or automobile insurance policies, shall file with the Commissioner its classification of risks and premium rates or schedules; providing for the approval of same; prohibiting the use of premium rates greater or less than those filed by and approved for it; providing for the manner in which the Commissioner may determine the reasonableness and with the Commissioner of statements as to losses settled; providing for the filing of policy forms and endorsements; providing for computing the reserve and its investment; providing for experience and/or merit rating; repealing all laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Insurance.

Senate Bill No. 416.

By Senator Pace:

S. B. No. 416, A bill to be entitled "An Act amending Chapter 3, Title 78, Revised Civil Statutes of Texas, 1925, by adding a new Article to be known as Article 4764c, to provide that no portion of the net premium collected upon any policy issued or delivered in this State shall ever be used or applied for the payment of any expenses of the company, repealing all laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Insurance.

Senate Bill No. 417.

By Senator Pace:

S. B. No. 417, A bill to be entitled "An Act amending Chapter 1, Title 78, Revised Civil Statutes of Texas, 1925, with respect to the powers and duties of the Insurance Commission, so as to require, in the approval, promulgation and/or fixing of rates for insurance in this State where, such authority or power is extended to the Commission, that said commission shall give consideration to the experience on the class of coverage and class of risks over a period of at least five years; that in approving, promulgating and/or fixing of rates necessary to insure the solvency of the company or companies and a fair margin of profit, such commission shall take into consideration the investment profit earned by the company or companies; declaring the public policy of this State to be that such companies shall not be entitled to earn, through its underwriting and investment operations combined, more than 8 per cent on their combined capital and surplus; defining what shall be the combined capital and surplus hereunder, repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Insurance.

Senator Hill received unanimous consent to send up the following bills:

Senate Bill No. 418.

By Senator Hill:

S. B. No. 418, A bill to be entitled "An Act to amend Article 4628 of the Revised Statutes of Texas of 1925, allowing the annulment of marriages under certain conditions and upon proper showing of insanity which may have had its incipency or beginning prior to the entry of the parties into the marriage contract and giving the trial court discretion in certain of such cases, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 419.

By Senator Hill:

S. B. No. 419, A bill to be entitled "An Act to amend Section 75 of Article 2696 of the Revised Statutes of Texas, relating to the transfers of children from an independent school district or other school districts in any county, to some other independent district or other district in the same county, and providing that the per capita apportionment shall be paid by the State Treasurer to the independent school district to which the child is transferred, or to the county superintendent in all other districts, to be distributed by said county superintendent, and providing for an appeal from the acts of the county superintendent to the county board of trustees in all cases when an independent, or other district shall be dissatisfied with the action of the county superintendent in the transfers made by said county superintendent, and declaring an emergency."

Read and referred to the Committee on Education.

Senate Bill No. 420.

By Senator Hill:

S. B. No. 420, A bill to be entitled "An Act to amend Article 7332, Chapter 10, Title 122 of the Revised Statutes of Texas as amended by the Acts of the Forty-first Legislature, passed at its Regular Session and found in the published laws of said session in Chapter 143, page 307, Section 1 thereof, and as amended by the Acts of the Forty-first Legislature at its Fourth Called Session and found in the published laws of said session at

Chapter 20, page 30, Section 9, and as amended by the Acts of the Forty-second Legislature at its Regular Session and found in the published laws of said session at Chapter 258, page 428, Section 1 and as amended by the Forty-second Legislature at the Second Called Session thereof and found in the published laws of said session in Chapter 16, at page 31 to provide compensation for county attorneys, criminal district attorneys, or district attorneys, county clerks, district clerks and sheriffs; to repeal all laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Bills and Resolutions Referred.

H. B. No. 474 was referred to the Committee on Mining, Irrigation and Drainage.

H. J. R. No. 5 was referred to the Committee on Constitutional Amendments.

Senator Excused.

Senator Martin was excused for the day on account of important business, on motion of Senator Blackert.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with following message:

Hall of the House of Representatives,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 474, A bill to be entitled "An Act relating to mining claims and rights, amending Article 5395 of Chapter 5, Title 86, of the Revised Civil Statutes of Texas, 1925, relating to the time of payment of rentals on mining claims awarded under Article 5397 of Chapter 5, of Title 86, of the Revised Civil Statutes of Texas, 1925, and providing royalties to be paid the State from minerals produced upon such claims; and amending Article 5397 of Chapter 5, of Title 86, of the Revised Civil Statutes of Texas, 1925, pro-

viding for forfeiture of rights of location or owner of mining claims by the Land Commissioner upon default of payment of any sum due within thirty (30) days after sum is due, or for making false reports or failing or refusing access to records, or knowingly failing or refusing to give correct information, or to furnish Land Office correct reports, etc., and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution: H. J. R. No. 5, Proposing an amendment to Section 1a of Article VIII of the Constitution of the State of Texas, exempting three thousand dollars (\$3,000) of the assessed taxable value of all residence homesteads as now defined by law, from all State, county, city, town, district, and other political subdivision purposes, etc.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. S. R. No. 77, Requesting the Senate to return H. C. R. No. 41 to the House for further consideration.

H. C. R. No. 49, Suspending Joint Rule No. XXIII until final disposition of House bills 635 and 637.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Point of Personal Privilege.

Senator DeBerry rose to a point of personal privilege.

Point of Order.

Senator Woodruff raised a point of order that the motion to adjourn was pending and that Senator De-

Berry was out of order in his speech on the point of personal privilege.

The Chair sustained the point of order.

Adjournment.

The question recurred on the motion to adjourn, which prevailed by the following vote:

Yeas—14.

Beck.	Hughston.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
DeBerry.	Shivers.
Hill.	Small.
Hornsby.	Westerfeld.

Nays—13.

Cotten.	Rawlings.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Moore.	Woodruff.
Neal.	

Absent.

Redditt.	Stone.
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Absent—Excused.

Fellbaum.	Martin.
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APPENDIX.

Petitions and Memorials.

Texas Centennial Commission,
Gulf States Life Bldg.,
Dallas, Texas.

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul,
Lieutenant-Governor of Texas,
Capitol Station,
Austin, Texas.

Dear Governor Woodul:

This is to convey to you and the members of the Senate an expression of appreciation from myself and the other members of my family for the very fine tributes paid to the memory of my father.

These personal, floral, and written messages of sympathy and understanding received at the time of our great bereavement were a great solace to all of us.

Sincerely yours,

(Signed) EDGAR E. WITT.

EEW:MC

Committee Reports.

Committee Room,
Austin, Texas, March 5, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Civil Jurisprudence, to whom was
referred

S. B. No. 202, A bill to be entitled
"An Act to provide for and regulate
nominations of candidates for dis-
trict judges, criminal district judges,
justices of the Court of Civil Ap-
peals, judges of the Court of Crimi-
nal Appeals, and justices of the
Supreme Court by political parties
casting one hundred thousand votes
or more for their candidate for Gov-
ernor at the next preceding general
election, making this Act take prece-
dence over and repealing all laws in
conflict herewith, and declaring an
emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass, with
committee amendment.

SMALL, Chairman.

Committee Amendment.

Amend S. B. No. 202 by striking
out all of those sections pertaining
to district judges and criminal dis-
trict judges from said bill.

Committee Room,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Mining, Irrigation and Drainage, to
whom was referred

S. B. No. 356, A bill to be entitled
"An Act providing for the extension
of the 'Rio Grande Compact' and
declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with
the recommendation that it do pass.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Mining, Irrigation and Drainage, to
whom was referred

S. B. No. 133, A bill to be entitled
"An Act to amend Article 7567 of
Title 128 of the Complete Statutes
of Texas, 1928, so as to give to in-

terested parties dissatisfied with the
ruling and decision of the Board of
Water Engineers with respect to the
charge of canal companies for water
for irrigating crops the right to lit-
igate the matter in the District Court
of the county in which the canal
company has its principal office and
place of business, and declaring an
emergency."

Have had the same under con-
sideration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Mining, Irrigation and Drainage, to
whom was referred

S. B. No. 361, A bill to be entitled
"An Act creating 'Sabine-Neches
Conservation District' a conservation
and reclamation district with the
powers provided in Section 59 of
Article 16 of the Constitution, to
conserve, control and utilize the
waters of the Sabine and Neches
Rivers and their tributaries, etc.,
and declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with
the recommendation that it do pass.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 6, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Mining, Irrigation and Drainage, to
whom was referred

S. B. No. 267, A bill to be entitled
"An Act to amend Article 8161 of
the Revised Civil Statutes of the
State of Texas, 1925, so as to pro-
vide that commissioners of drainage
districts are authorized and required
to build all necessary bridges and
culverts across and over canals,
drains, ditches, laterals, and levees
constructed by their districts when-
ever the same cross a state highway,
county or public road, etc., and de-
claring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with
the recommendation that it do pass
and be not printed.

REGAN, Chairman.

Committee Room,

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 404, A bill to be entitled "An Act providing that the Supreme Court of the State of Texas shall have original jurisdiction in the matter of issuing the writ of mandamus or any other mandatory or compulsory writ or process to compel the performance by any judge of a District Court in this State of any duty imposed upon him or them, respectively, by the Constitution and laws of this State; etc., . . . and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 213, A bill to be entitled "An Act amending Chapter 8, Title 42, of the Revised Statutes of 1925, by adding an article empowering the judge to change venue of his own motion and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 43, A bill to be entitled "An Act creating the State Bar, defining the powers thereof, constituting it an administrative agency of the Judicial Department of the State; etc., . . . and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 208, A bill to be entitled "An Act to preserve filed pleadings by making just and convenient regulations to such end, repealing all conflicting laws, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 207, A bill to be entitled "An Act amending Subdivision 5 of Article 1995 of the Revised Civil Statutes of the State of Texas, 1925, etc., . . . and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 5, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 390, A bill to be entitled "An Act to provide compensation for any person appointed by any district judge under the authority of Title 100 of the Revised Civil Statutes of the State of Texas (1925) to fill temporarily the office of county clerk in any county having a population of more than two hundred and seventy-five thousand persons, . . . and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on

Mining, Irrigation and Drainage, to whom was referred

H. B. No. 474, A bill to be entitled "An Act relating to mining claims and rights, amending Article 5395, of Chapter 5, of Title 86, of the Revised Civil Statutes of Texas, 1925, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REGAN, Chairman.

Minutes of Committee Meetings.

Minutes of Regular Meeting of Committee on Agricultural Affairs,
Held March 5, 1935.

Present: DeBerry, Sulak, Small, Beck, Duggan, Stone, Van Zandt, Hill, Hughston and Neal.

Absent—excused: Poage.

S. B. No. 329 referred to subcommittee of Sulak, Van Zandt and Hughston.

DICK DEBERRY, Secretary.

Minutes of Committee on Civil Jurisprudence, Held February 5, 1935.

Regular Meeting.

Present: Small, Blackert, Collie, Davis, Fellbaum, Hill, Moore, Oneal, Rawlings, Redditt, Shivers, Van Zandt and Westerfeld.

Absent—excused: Hopkins and Hornsby.

S. B. No. 12 was reported favorably by viva voce vote.

S. B. No. 13 was reported favorably by viva voce vote.

S. B. No. 15 was reported favorably by viva voce vote.

S. B. No. 26 was reported favorably by viva voce vote.

S. B. No. 42, with amendments, was reported favorably by viva voce vote.

S. B. No. 39 was referred to subcommittee (Rawlings, Oneal and Moore).

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Civil Jurisprudence Held February 7, 1935, Called Meeting.

Present: Small, Collie, Davis, Hill, Hornsby, Moore, Rawlings, Redditt, Shivers, Westerfeld.

Absent: Blackert, Hopkins, Oneal, Van Zandt, and Fellbaum (all excused).

S. B. No. 119 was reported favorably, with committee amendments, by the following vote:

Yeas: Collie, Davis, Hill, Hornsby, Moore, Redditt, Shivers, Westerfeld.

Nays: None.

S. B. No. 129 was reported favorably by viva voce vote.

S. B. No. 120 was reported favorably by viva voce vote.

S. B. No. 124 was reported favorably by viva voce vote.

S. B. No. 255 was reported favorably by viva voce vote.

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Civil Jurisprudence, Held February 12, 1935, Regular Meeting.

Present: Small, Blackert, Davis, Fellbaum, Hornsby, Moore, Oneal, Rawlings, Redditt, Shivers, Van Zandt.

Absent—excused: Collie, Hill, Hopkins, Westerfeld.

H. B. No. 403 was reported favorably by viva voce vote.

S. B. No. 262 was reported favorably, with committee amendments, by viva voce vote.

S. B. No. 215 was reported favorably by viva voce vote.

S. B. No. 167 was reported favorably by viva voce vote.

S. B. No. 224 was reported favorably by viva voce vote.

S. B. No. 132 was reported favorably by viva voce vote.

S. B. No. 270 was reported favorably by viva voce vote.

S. B. No. 251 was reported favorably, with committee amendments, by viva voce vote.

S. B. No. 254 was reported adversely by the following vote:

Yeas: Shivers and Fellbaum.

Nays: Rawlings, Redditt, Van Zandt, and Davis.

S. B. No. 8 was reported favorably by viva voce vote.

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Civil Jurisprudence, Held February 19, 1935, Regular Meeting.

Present: Small, Blackert, Collie, Davis, Hill, Hopkins, Hornsby,

Moore, Oneal, Rawlings, Redditt, Shivers, Van Zandt, Westerfeld.

Absent: Fellbaum, (excused on account of sickness.)

H. B. No. 232 was reported favorably with the recommendation that it pass and be not printed, by viva voce vote.

S. B. No. 9 was reported favorably by the following vote:

Yeas: Blackert, Hill, Hopkins, Hornsby, Rawlings, Redditt, Van Zandt, Westerfeld.

Nays: Collie, Davis.

S. B. No. 122 was reported adversely by the following vote:

Yeas: Blackert, Collie, Hopkins, Moore, Redditt.

Nays: Davis, Rawlings, Van Zandt, Westerfeld.

S. B. No. 123 was reported favorably with the recommendation that it pass and be printed by the following vote:

Yeas: Collie, Davis, Rawlings, Redditt, Van Zandt, Westerfeld.

Nays: Blackert, Hopkins, Moore.

S. B. No. 297 was reported favorably with the recommendation that it pass and be printed by viva voce vote.

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Civil Jurisprudence, Held February 27, 1935, Regular Meeting.

Present: Small, Blackert, Collie, Hill, Hopkins, Hornsby, Moore, Redditt, Shivers, Van Zandt, Westerfeld.

Absent—excused: Davis, Fellbaum, Oneal, Rawlings.

S. B. No. 353 was reported favorably, with committee amendments, by viva voce vote.

S. B. No. 111 was reported favorably by viva voce vote.

S. B. No. 39 was reported favorably, with committee amendments, by viva voce vote.

S. B. No. 242 was reported favorably by viva voce vote.

S. B. No. 308 was reported favorably by viva voce vote.

S. B. No. 304 was reported favorably by viva voce vote, Senators Moore and Shivers asking to be recorded as voting "nay."

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Civil Jurisprudence, Held March 1, 1935, Called Meeting.

Present: Small, Blackert, Collie, Davis, Hill, Hornsby, Moore, Redditt, Shivers, Westerfeld.

Absent—excused: Fellbaum, Hopkins, Oneal, Rawlings, Van Zandt.

H. B. No. 76 was reported unfavorably by the following vote:

Yeas: Hill, Hornsby, Westerfeld.

Nays: Blackert, Davis, Moore, Redditt, Shivers.

HERMAN B. HILL, JR.,
Secretary.

Minutes of the Committee on Civil Jurisprudence, Held March 5, 1935.

Called Meeting.

Present: Small, Blackert, Collie, Hill, Hopkins, Hornsby, Moore, Oneal, Redditt, Shivers, Van Zandt and Westerfeld.

Absent—excused: Davis, Fellbaum, and Rawlings.

S. B. No. 43 was reported favorably by the following vote:

Yeas: Blackert, Hopkins, Hornsby, Moore, Oneal, Redditt, Shivers and Van Zandt.

Nays: Collie, Hill and Westerfeld.

S. B. No. 202 was reported favorably by the following vote:

Yeas: Small, Blackert, Hopkins, Hornsby and Van Zandt.

Nays: Hill, Oneal, Shivers and Westerfeld.

S. B. No. 213 was reported favorably by viva voce vote.

S. B. No. 208 was reported favorably by viva voce vote.

S. B. No. 207 was reported favorably by viva voce vote.

S. B. No. 203 was referred to subcommittee (Oneal, Hopkins and Hornsby).

S. B. No. 243 was referred to subcommittee (Westerfeld, Oneal and Hill).

S. B. No. 390 was reported favorably by viva voce vote.

HERMAN B. HILL, JR.,
Secretary.

Minutes of the Committee on Civil Jurisprudence, Held March 5, 1935.

Regular Meeting.

Present: Small, Collie, Hopkins,

Hornsby, Moore, Rawlings, Shivers, Van Zandt and Westerfeld.

Absent—excused: Blackert, Davis, Fellbaum, Hill, Oneal and Redditt.

H. B. No. 404 was reported favorably by viva voce vote.

S. B. No. 302 was referred to subcommittee (Van Zandt, Shivers and Collie).

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Insurance,
Held March 5, 1935.

Special Meeting.

Present: Collie, Hughston, Cotten, DeBerry, Holbrook, Moore, Pace, Poage, Rawlings, Shivers, Westerfeld and Woodruff.

Absent: Sulak.

S. B. No. 275 was laid on table subject to call.

S. B. No. 139 was laid on table subject to call.

BILL GEORGE, Secretary.

Minutes of the Committee on State Affairs, Held March 5, 1935.

Regular Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Hughston, Martin, Moore, Rawlings, Redditt, Regan, Shivers, Small, Stone and Sulak.

Absent—excused: Fellbaum and Oneal.

S. B. No. 278 was referred to a subcommittee.

W. S. REEVES, Secretary.

THIRTY-FIFTH DAY.

Senate Chamber,
Austin, Texas,
March 7, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. K. M. Regan.

The roll call disclosed a quorum, the following Senators being present.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Sanderford.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.

Senate Bill No. 421.

By Senator Holbrook:

S. B. No. 421, A bill to be entitled "An Act to require a radio broadcasting station or stations to file semi-annual reports with the State Comptroller, designating what shall be included in said reports; providing a penalty, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 422.

By Senator Oneal:

S. B. No. 422, A bill to be entitled "An Act to amend Chapter 88 of the General Laws of the Second Called Session, Forty-first Legislature, as heretofore amended, by adding to said Chapter 88 a section to be known as Section 3-a, to provide that water improvement districts, water control and improvement districts and levee improvement districts, incorporated as public municipal corporations under the laws of the State of Texas, be exempted from the payment of all registration fees on motor vehicles, trailers and semi-trailers owned by such districts and used exclusively in the service of such districts, provided that the districts owning such motor vehicles shall apply annually to register such motor vehicles and that affidavit be made at the time of registration by the person who has the proper authority that such motor vehicles are owned by such districts and are exclusively used in the service of such district; and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

Senate Bill No. 423.

By Senator Oneal:

S. B. No. 423, A bill to be entitled "An Act to prohibit the building or